

**MOTION UNDER 28 U.S.C. § 2255 TO VACATE, SET ASIDE, OR CORRECT
SENTENCE BY A PERSON IN FEDERAL CUSTODY**

U.S. DISTRICT COURT
DISTRICT OF VERMONT
FILED

2019 APR 15 AM 10:48

United States District Court		District Vermont		CLERK
Name (under which you were convicted): Michael Foreste		Docket or Case No.: 2:14-cr-00077-WKS		DEPUTY CLERK LAW
Place of Confinement: FPC Montgomery		Prisoner No.: 08758-082		2:19-cv-54
UNITED STATES OF AMERICA		Movant (include name under which you were convicted)		
v.		Michael Foreste		

MOTION

1. (a) Name and location of court that entered the judgment of conviction you are challenging:

U.S. District Court
11 Elmwood Avenue, Room 506
Burlington, VT 05401

(b) Criminal docket or case number (if you know): **2:14-cr-00077-WKS**

2. (a) Date of the judgment of conviction (if you know): **May 25, 2017**

(b) Date of sentencing: **May 22, 2017**

3. Length of sentence: **110 months**

4. Nature of crime (all counts):

Conspiracy to Distribute Oxycodone 21 U.S.C. 846, 841
Distribution of Oxycodone 21 U.S.C. 841
Money Laundering 18 U.S.C. 1956

5. (a) What was your plea? (Check one)

(1) Not guilty ☒

(2) Guilty ☐

(3) Nolo contendere (no contest) ☐

(b) If you entered a guilty plea to one count or indictment, and a not guilty plea to another count or indictment, what did you plead guilty to and what did you plead not guilty to?

6. If you went to trial, what kind of trial did you have? (Check one)

Jury ☒

Judge only ☐